



LAKE ONTARIO INDUSTRIAL PARK

Comprehensive Site Profile

City of Oswego

Oswego County, New York

Prepared for:

Operation Oswego County, Inc.
44 West Bridge Street
Oswego, New York 13126



Operation Oswego County
*An Economic and Job Development Corporation
Serving Oswego County, NY*

Prepared by:

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Engineers • Environmental Scientists • Planners • Landscape Architects

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**LAKE ONTARIO INDUSTRIAL PARK
COMPREHENSIVE SITE PROFILE**

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1.0 PROPERTY SUMMARY

Lake Ontario Industrial Park Site Property Summary	
General Location:	Immediately north of Northland Filter facility in the Lake Ontario Industrial Park
Site Ownership:	Operation Oswego County, Inc. owns the entire 57 acre Industrial Park
Address:	The Site is part of the larger Industrial Park, located at 249A Mitchell Street, Oswego, New York
Access:	Direct access to the Site is currently off the Industrial Park driveway just north of Mitchell Street
Road Frontage:	Approximately 700 feet of road frontage along the Industrial Park driveway
Topography:	Gently sloping with areas of steep slopes limited to southeasterly portion of the site
Hydrology:	Natural drainage flows to the rear of the site
Land Use:	Undeveloped wooded and shrub areas
Crops Grown:	None
Utilities:	Public water, sewer, electric, telephone, cable, gas and fiber optics
Zoning:	Industrial; Restrictive Covenants exist for the Industrial Park site
Site Improvements:	Several manholes are located along the sanitary and storm sewer easement. A transformer also exists on the eastern side of the site.
Tax Map #'s:	110.68-01-01

The site, currently owned by the OOC, consists of a 5-acre +/- parcel located on the western side of the Industrial Park driveway. The site is generally rectangular in shape with approximately 700-feet of road frontage and between 350 to 400-feet of depth from the road. It is part of a larger 56.64-acre parcel within the Lake Ontario Industrial Park and is currently undeveloped.



Image 1: 5 Acre +/- Lake Ontario Industrial Park Site

2.0 INTRODUCTION & BACKGROUND

Operation Oswego County, Inc (OOC) identified the marketing and development of key industrial properties as a major priority in the economic development strategy of Oswego County. Specifically, the development of a vacant piece of land within the Lake Ontario Industrial Park in the City of Oswego, New York has become a high priority with several developers requesting site information pertaining to environmental, topographical, and utility data.

The property owned by the Operation Oswego County, the County's Industrial Development Agency (IDA), that is the subject of this Site Profile is an approximately 5-acre vacant parcel located east of the Oswego River and Fort Ontario near the eastern City boundary and just south of Lake Ontario shoreline. More specifically, the site is located north of Mitchell Street and east of Smith Beach Road on the west side of the Industrial Park driveway within the Lake Ontario Industrial Park as illustrated on Figures 1 and 2 in Appendix A. In order to make the site more attractive to industries and developers, Operation Oswego County has authorized Barton & Loguidice, P.C (B&L) to develop a comprehensive informational package to identify and summarize necessary information in order to foster OOC's marketing efforts for the site.

B&L's investigation of the Lake Ontario Industrial Park Site (the site) was conducted using a two-part process; an evaluation of published maps, plans and environmental records, and a site investigation. Aerial photos, soil maps, utility and infrastructure maps and plans, USGS topographic maps, wetland and floodplain data, sanborn maps, boring samples, and other published information was reviewed as part of this Comprehensive Site Profile investigation.

The objective of this document is to clearly summarize findings associated with the evaluation of the site for prospective purchasers whom are interested in developing the site for industrial or commercial uses. A Phase I Environmental Site Assessment (ESA) was prepared as a separate standalone document. Furthermore, two full-size exhibits, Development Scenario A and Development Scenario B, have been prepared to graphically illustrate site development opportunities as a result of this investigation and to help convey the potential of the Lake Ontario Industrial Park site. Half size exhibits are included in Appendix B. Lastly, boring log data for the site is included in Appendix C followed by supporting documentation in Appendix D.

3.0 SITE PROFILE

The information summarized in this section is an inventory of existing site conditions organized to effectively profile the site for Operation Oswego County, Inc and prospective developers.

3.1 General Site Characteristics

The site, currently owned by the OOC, consists of a 5-acre +/- parcel located on the western side of the Industrial Park driveway. The site is generally rectangular in shape with approximately 700-feet of road frontage and between 350 to 400-feet of depth from the road. It is part of a larger 56.64-acre parcel within the Lake Ontario Industrial Park and is currently undeveloped.

A sanitary sewer right-of-way (ROW) is located along the northerly property boundary where several manholes are located. The northern and western property boundaries adjoin a dense wooded area. The Industrial Park driveway forms the eastern property boundary. A filter manufacturing company, Northland Filter International, Inc, adjoins the site to the south. Generally, the site is a large undeveloped parcel in an area of mixed residential and industrial development.



*Image 2 (left): View looking southwest down access road within sanitary and storm sewer ROW
Image 3 (right): View looking southeasterly from access road into the site.*



3.2 Site Topography

Based on field evaluations, the USGS topographic Oswego East quadrangle, and Light Detection and Ranging technology (LiDAR), the site is primarily level with gradual slope towards the west. The site's steepest gradients, between 15 and 25 percent slopes, are generally located on the southern portions of the site as illustrated on Figure 3 in Appendix A. Site elevation along its road frontage is between 299-feet and 302-feet, whereas the site's lowest elevation of 281-feet is situated along the rear boundary line adjacent to the sanitary ROW.

3.3 Environmental Features

A Phase I Environmental Site Assessment (ESA) was performed pursuant to general accordance with the American Society for Testing and Materials (ASTM) “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” (ASTM Designation E 1527-05). The Phase I ESA is provided under a separately bound cover and is intended to reduce the uncertainty regarding the potential occurrence of past release or potential future release of hazardous substances or petroleum by making appropriate and reasonable inquiry into the past and present uses of the site. Although environmental features such as state and federal wetlands and a 100-yr flood zone are present on nearby sites, there appears to be no significant environmental limitations on the Lake Ontario Industrial Park site as illustrated on Figure 4 in Appendix A. As such, a Phase II Site Assessment is not recommended to be performed based on the results of the Phase I ESA. It is suggested users of this Site Profile document refer to the Phase I ESA for detailed environmental information and findings.

Furthermore, the site and the Lake Ontario Industrial Park are within the New York State Coastal Management Zone, as illustrated by the blue line on the “Oswego East” map in Appendix D. Pursuant to the Coastal Management Act of 1972, development activity in designated Coastal Zones requires coordination with the New York State Department of Environmental Conservation and the Department of State.

3.4 Soil Characteristics / Bearing Capacity

On September 5, 2012, Lyon Drilling Company, Inc. advanced four (4) borings to a depth of 25 feet below top of grade. The borings were located as follows; north-west corner, south-west corner, east of center, and dead center of the lot as illustrated on Figure 5 in Appendix A. Samples were obtained by driving a 2-inch diameter split-spoon sampler with a 140 pound hammer in accordance with ASTM D-1586 (Standard Penetration Test). The hammer blows recorded for each six inch interval during sampling from the 6-inch to 24-inch interval are referred to as “Penetration resistance” and are designated as the “N value” on the boring logs, which are provided in Appendix C.

At the bottom of the boring level the driller encountered a till like material consisting of wet grey highly compacted sand with little medium to coarse sand and trace fine gravel. The blow counts at this level achieved an average N value of 88. The bearing material located at 6 feet below grade consisted of moist brown fine sand, little medium to coarse sand, and trace fine gravel with occasional cobbles with an average N value of 62. The lowest N value at 6 feet was in the south-west quadrant with an N-Value of 39.

Groundwater was not encountered; however, the groundwater table will vary with the seasons and changes in precipitation patterns and may be higher during the wetter seasons. Subsurface conditions and water levels at other locations may differ from conditions at the locations where sampling was conducted. The passage of time also may result in changes in the conditions interpreted to exist at the locations where sampling was conducted.

Two scenarios were investigated for future construction on the site. Scenario-A consisted of a 300'x165' (49,500sf) one-story structure. Scenario-B consisted of a 100'x200' (20,000sf) one-story structure.

Design loads for both buildings were assumed for a light industrial structure with dead loads consisting of 15psf for the interior floors and roof, live load of 100psf for the interior floors, and a balanced snow load of 42psf based on a 60psf ground snow load. Both design loads were based on The 2010 New York State Building Code and ASCE 7-05.

For Scenario-A columns spaced at 15' and square footings of 6.5'x6.5' for interior columns and 5'x5' for external columns would likely be required. For Scenario-B it was found a square footing of 9'x9' at the base of columns would be satisfactory. For both scenarios, all foundations would have to reach a depth of at least 5' to penetrate below extreme frost conditions in the soil. Calculations were based on a depth of 5' for both foundations with assumed cohesionless soils, an effective friction angle of at least 30°, and effective unit weight of 115pcf. Per NYS building code section 1804.2; the maximum allowable foundation pressure for supporting soils at or near the surface shall not exceed 3,000psf for sandy gravel soils unless data to substantiate the use of higher values is submitted and approved. Our analysis found a bearing capacity of 5,000psf to 6,000psf may be substantiated; however, further testing would need to be performed. A maximum bearing pressure of 3,000psf was assumed for the purpose of the foundation design.

The boring logs depict subsurface conditions for specific locations and dates. The recommendations and observations presented assume that significant variations do not occur at the site. Non-uniform conditions, however, cannot be ruled out by the methods of investigation performed. Also, Development Scenarios A and B in Appendix B are conceptual site plans that are based on Scenario A and B respectively as summarized above.

3.5 Site Utilities

Existing utility information was obtained through as-built plans and contact with individual service providers. Approximate utility locations are shown on Figure 6 in Appendix A and further summarized below.

Electric Service

13.2 KVA overhead and underground electrical service is provided to the Lake Ontario Industrial Park along Mitchell Street. A transformer owned by National Grid is also located on the eastern end of the site along the road frontage adjacent to the Industrial Park driveway.

Water Supply

The City of Oswego Water Department is responsible for providing potable water to the Lake Ontario Industrial Park. According to the City Water Department, water service in the City has the capacity to provide greater than 16 million gallons per day with processes consisting of chlorination, coagulation, filtration, and fluoridation. Currently, daily flow rates are 5 to 12 million gallons per day with existing

users that include industrial, commercial, and residential customers in the vicinity of the Lake Ontario Industrial Park, including fire protection needs. Water supply comes from Lake Ontario.

Specifically, water utilities in the vicinity of the site include an 8" water main that services the entirety of the Lake Ontario Industrial Park along the Industrial Park driveway and which ties into Mitchell Street.

Additionally, there is a large 36" water transmission main that runs by the Industrial Park along Mitchell Street as well as a 6" water line that services properties on the southern side of Mitchell Street.

Sewers

Both storm and sanitary sewers are present within and adjacent to the Lake Ontario Industrial Park. A utility ROW is present along the northern and western boundaries of the site to provide access to the sanitary and storm sewer lines that ultimately connect to utilities on Mitchell Street. Sanitary effluent generated from future operations within the Park and at the site specifically flow via gravity to a pump station located just to the west at the intersection of Mitchell Street and St. Paul Street via a 24" storm sewer line along Mitchell Street. The pump station is a 3 million gallon per day facility and is believed to have ample capacity to accommodate future development within the Industrial Park. From there, flows are pumped to the East Side Waste Water Treatment Plant, which is a 5.35 million gallon per day activated sludge facility. Flows from storm sewers within the Industrial Park connect to a 15" line along Mitchell Street, which ultimately discharge to Wine Creek.

Telecommunications

Overhead cable television and internet lines owned by Time Warner Cable are present along Mitchell Street. Also, overhead and underground lines owned by Verizon are present for telephone and internet services to the Industrial Park.

Gas Service

An 8" underground gas line is present along Mitchell Street adjacent to the Industrial Park. There is also a 4" line that extends northerly along the Industrial Park driveway approximately 650 linear feet and terminates at the target site as illustrated on Figure 6 in Appendix B.



*Image 4 (left): Sanitary manhole along utility ROW on site
Image 5 (right): Transformer box and protective bollards on site*

3.6 Zoning and Land Use

The site, being located in the City of Oswego, could be subject to local zoning regulations and coverage requirements. Being part of the larger Lake Ontario Industrial Park, the site is zoned Industrial (IN). Although the City's zoning code does not specifically provide intent for each zoning district within the City limits, the following uses are identified as permitted uses within the Industrial District:

- Enclosed manufacturing industries.
- Enclosed warehouse or wholesale use.
- Public utility facilities.
- Enclosed service and repair.
- Enclosed industrial processes and services.
- Machinery and transportation equipment; sales, service and repair.
- Freight or trucking terminals.
- Gasoline stations and car washes.
- Animal hospitals.

Based on the site already being zoned Industrial within the context of the larger Industrial Park property, no zone change request applications would be required to the City of Oswego for future industrial development uses.

Furthermore, minimum bulk requirements per the City's zoning code are as follows:

Minimum lot area:	10,000 square feet
Minimum lot width:	100 feet
Minimum setbacks:	
Front	25 feet
Rear	12 Feet; 50 feet when abutting residential districts
Side	12 Feet; 50 feet when abutting residential districts
Maximum Coverage:	35%

Land Use in the vicinity of the site surrounding the industrial park is a mixture of large vacant parcels, single family homes, seasonal homes, a cemetery, community services such as police and fire, and public services uses. Land use immediately surrounding the site is illustrated on Figure 7 in Appendix A. Generally, residential and industrial development along Mitchell Street and Smith Beach Road appears to have taken place prior to 1960. The railroad tracks north of the site were constructed prior to 1939 as the Rome-Watertown & Ogdensburg Railroad. Development of the surrounding areas around the Industrial Park appears to have taken place between 1985 and 1994, and Northland Filter International was constructed in phases between 1994 and 2006.

Covenants and Restrictions for the Lake Ontario Industrial Park

Important to note is a declaration of restrictive covenants made by the Oswego County IDA in 1990. This document provided in Appendix D, sets forth “conditions, covenants, easements, restrictions and reservations” on any and all property within the Lake Ontario Industrial Park, including the target site. The intent of these restrictive covenants is to insure proper and desirous use and development of the Industrial Park. All conditions outlined within the Covenants are binding with the land and are administered by Operation Oswego County. These conditions extend automatically in successive periods of ten years until such time a majority ownership of the property vote to modify or nullify the covenants. When evaluating sites for development within the Lake Ontario Industrial Park, it is these site controls and bulk requirements that should be adhered to in conjunction with the City’s zoning controls. Where site requirements conflict, these restrictive covenants supersede local zoning.

3.7 Transportation Infrastructure

From a transportation perspective, the site and Lake Ontario Industrial Park is geographically located in the Northeastern United States and within close proximity to Southeastern Canada. A complete transportation network is available including highways, water, rail and air to provide fast and efficient movement of products and raw materials.

Important to note is that in the winter of 1998, former Governor Pataki introduced the “Build Now-NY” program that was aimed toward making sites attractive to companies to build manufacturing plants or other facilities. The Lake Ontario Industrial Park was one of the targeted locations. Mitchell Street is an essential east-west transportation corridor for the City of Oswego, and is the primary access to the Industrial Park. It is designated at an urban minor collector. In 2003 Operation Oswego County encouraged the City to reconstruct Mitchell Street, as it was significantly lacking in terms of providing the needed truck access to the park. Since then enhancements to the corridor have greatly improved the attraction of and marketability of the Lake Ontario Industrial Park as an industrial and commercial development location.

Summarized below is a cross section of the transportation infrastructure in proximity to the Lake Ontario Industrial Park site. Also, and as illustrated on Figure 8 in Appendix A, is a map of the infrastructure in the vicinity of the site.

Highway

The site is located strategically in close proximity to both County and State highways.

- NYS Route 104 is approximately a mile to the south of the site providing a primary east-west arterial road.
- NYS Route 481 is approximately two miles to the west where an onramp is located on the east side of the Oswego River in the center of the City.
- NYS Route 48 runs parallel to Route 481 on the west side of the Oswego River. Both routes provide direct access to primary north-south arterials.

- Interstate 81 is approximately 19 miles to the east, providing access to northern New York and Canada as well as downstate New York and Pennsylvania.
- The New York State Thruway (I-90) is approximately 38 miles to the south, providing access to Rochester, Buffalo, Utica, and Albany.

Overall, there is a complete highway network consisting of nearly 2500 miles of roadway that provide transportation to every major market area in the U.S.

Railroad

Approximately 1200 feet of CSX Rail line runs directly adjacent to the north of the site and Industrial Park, linking the site with the Alcan Corporation to the northeast, the City of Syracuse, Albany, New York City, Buffalo and Rochester, as well as international cities such Montreal and Toronto.

Airports

The Oswego County Airport is a general aviation facility located approximately 12 miles to the southeast of the site just outside the City of Fulton. Additionally, full commercial flight service is available at Syracuse Hancock International Airport, which is located approximately 35 miles to the south in the Town of Salina just outside the City of Syracuse.

Water-based Ports

The Port of Oswego is located approximately 1.5miles to the west of the site at the outlet of the Oswego River. The Port includes a wharf which is an intermodal facility providing transportation connectivity from water to land via highway and railroad.

4.0 SUMMARY OF DEVELOPMENT ASSETS AND LIMITATIONS

The Lake Ontario Industrial Park site has several development assets that would benefit a potential purchaser of the property for industrial or commercial use.

Site Development Assets

- At approximately 5 acres, the site has sufficient buildable area to accommodate a moderately sized industrial and/or commercial development operation including associated parking, on-site stormwater systems, setbacks, landscaping and amenities.
- Due to the Lake Ontario Industrial Park not yet being fully built out, future businesses on the site would have an opportunity for expansion within the industrial park.
- The site appears to have been undeveloped since prior to 1960, limiting potential for contamination and eliminating the need for demolition costs for future construction. Based on environmental investigations as part of this site profile, no on-site contamination was found to be present.
- Despite having generally non-compatible residential land uses immediately to the west of the site, there exists an abundance of woodland areas within and surrounding the site and industrial park that could provide a natural buffer between future development on the site and neighboring property.
- The vast majority of the site, including frontage which is along the Industrial Park driveway, is generally flat with gentle slopes to the rear of the site.
- Natural drainage patterns gently slope towards the rear of the property. This would aid in the design and layout of future stormwater facilities to areas of the site that are generally considered not ideal for buildings due to topographic constraints.
- All requisite utilities and associated flow capacities needed to accommodate a light to moderate industrial operation on the site are present either right up to the site or along Mitchell Street to the south. Connecting to existing utilities would be a nominal cost for future construction.
- The site is currently zoned Industrial. As such, no zone changes or variances would be required for future industrial or commercial development on the site.
- The site is fully equipped with access to all major transportation modes, including water, rail, air, and highway.

- Mitchell Street was reconstructed in 2004 in order to accommodate anticipated heavier traffic volumes including trucks and large commercial vehicles travelling to and from the Lake Ontario Industrial Park.

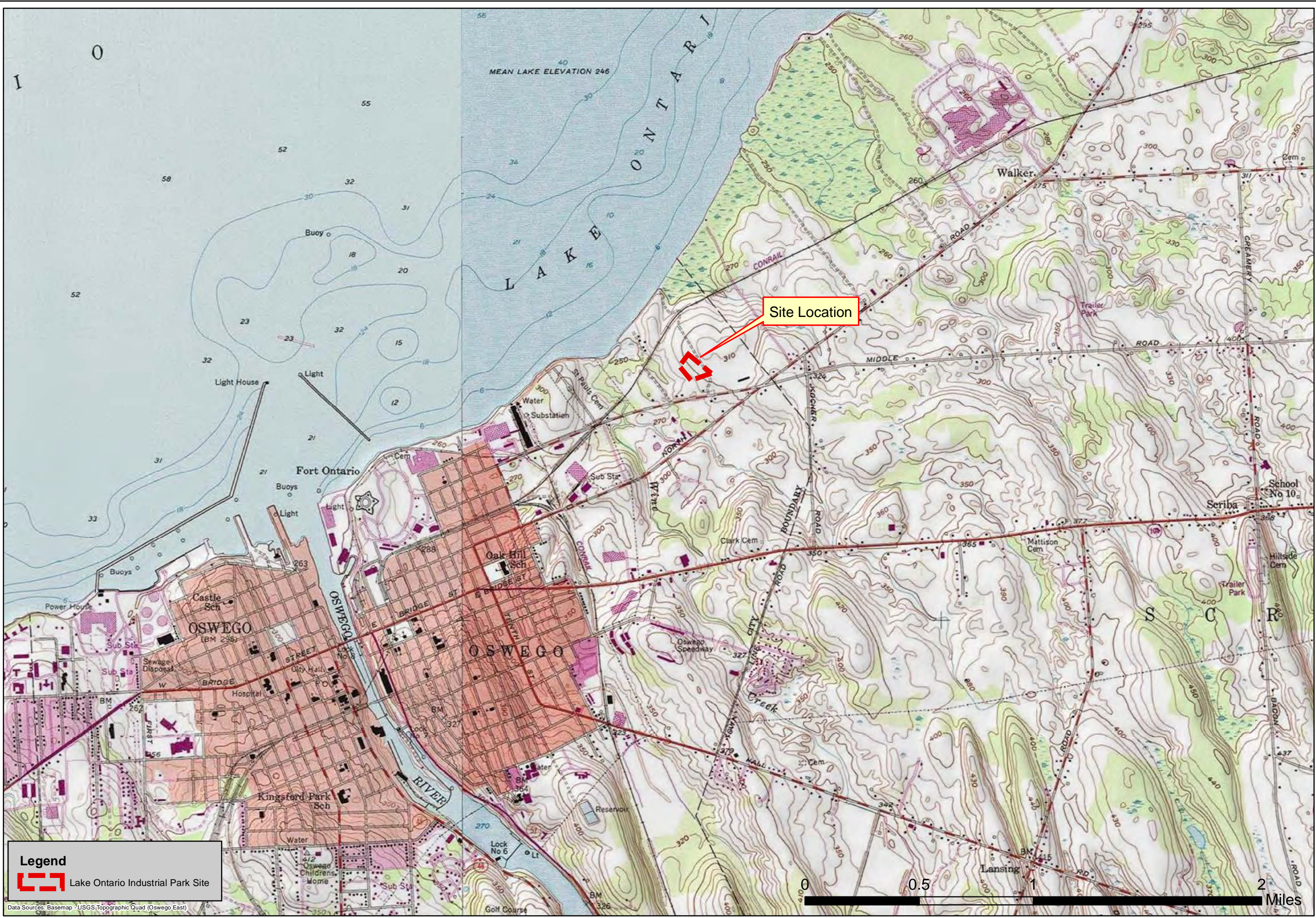
Site Development Limitations


- Though not a major constraint to future development on the site, slopes in excess of 25% do exist on the southeasterly portion of the site adjacent to the Northland Filter International property. Due to this, future development on site should be located closer to the northern and western portions of the site to minimize construction costs.

To conclude, this Comprehensive Site Profile finds that the site within the Lake Ontario Industrial Park site has several assets that benefit a potential buyer or developer with very limited development limitations at this time. Strategic highway access, an abundance of road frontage, existing utilities, and sufficient buildable space on site allow for a flexible approach to future development scenarios that best fit with the intent of the Industrial Park and surrounding area.


APPENDIX A

Map Figures




Legend
 Lake Ontario Industrial Park Site

Data Sources: Basemap - USGS Topographic Quad (Oswego East)



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


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The Economic and Job Development Corporation
 Setting Oswego County, NY

Operation Oswego County, Inc.
 Lake Ontario Industrial Park Site

Regional Location Map

Oswego County



Date	September 2012
Scale	As Shown
Figure Number	1
File Number	556.007

This map is to be used for reference purposes only. Bartons and Loguidice P.C. is not responsible or liable for any inaccuracies herein contained.



Legend

- Lake Ontario Industrial Park Site
- Tax Parcel Boundary

Data Sources: Basemap - ESRI Map Service
 Tax Parcel Boundary - Oswego County

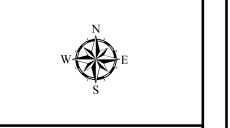
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Operation Oswego County, Inc.
 Lake Ontario Industrial Park Site

Site Map

New York
 Oswego County



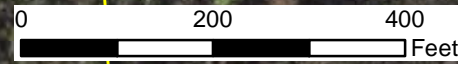
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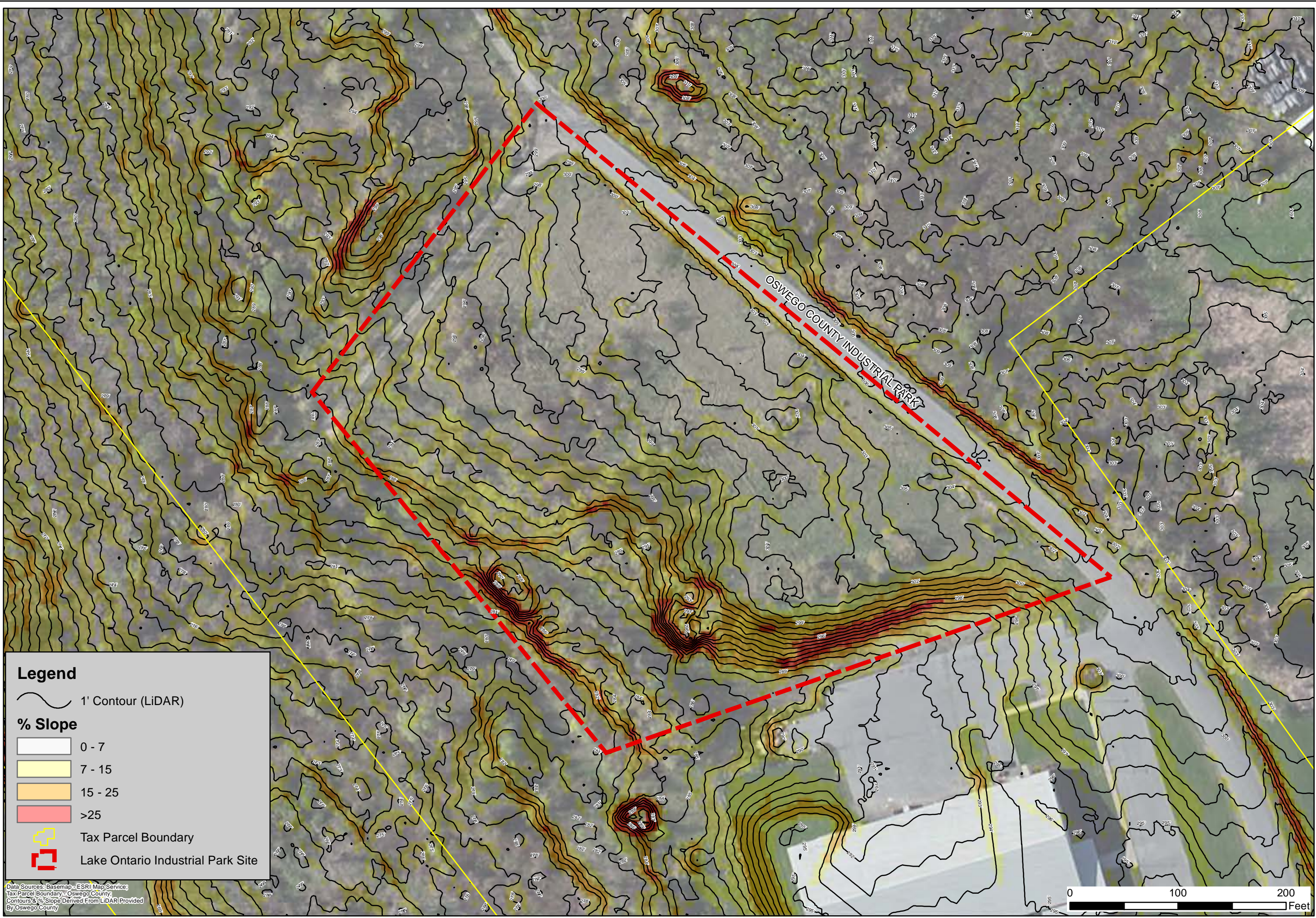
Scale
 As Shown

Figure Number
 2

File Number
 556.007

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Legend

1' Contour (LiDAR)

% Slope

0 - 7

7 - 15

15 - 25

>25

Tax Parcel Boundary

Lake Ontario Industrial Park Site

Data Sources: Basemap - ESRI Map Service;
Tax Parcel Boundary - Oswego County;
Contours & % Slope Derived From LiDAR Provided
By Oswego County



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Operation Oswego County, Inc.
Lake Ontario Industrial Park Site

Topographic Map

Oswego County

Date
September 2012

Scale
As Shown

Figure Number
3

File Number
556.007

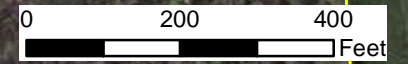
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Legend

- NYSDEC Wetland
- NWI Wetland
- Flood Zones (DFIRM)**
- 100 Year
- Tax Parcel Boundary
- Lake Ontario Industrial Park Site

Data Sources: Basemap - ESRI Map Service;
 Tax Parcel Boundary - Oswego County;
 Wetlands - NWI, NYSDEC; Flood Zones -
 Oswego County





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 Lake Ontario Industrial Park Site

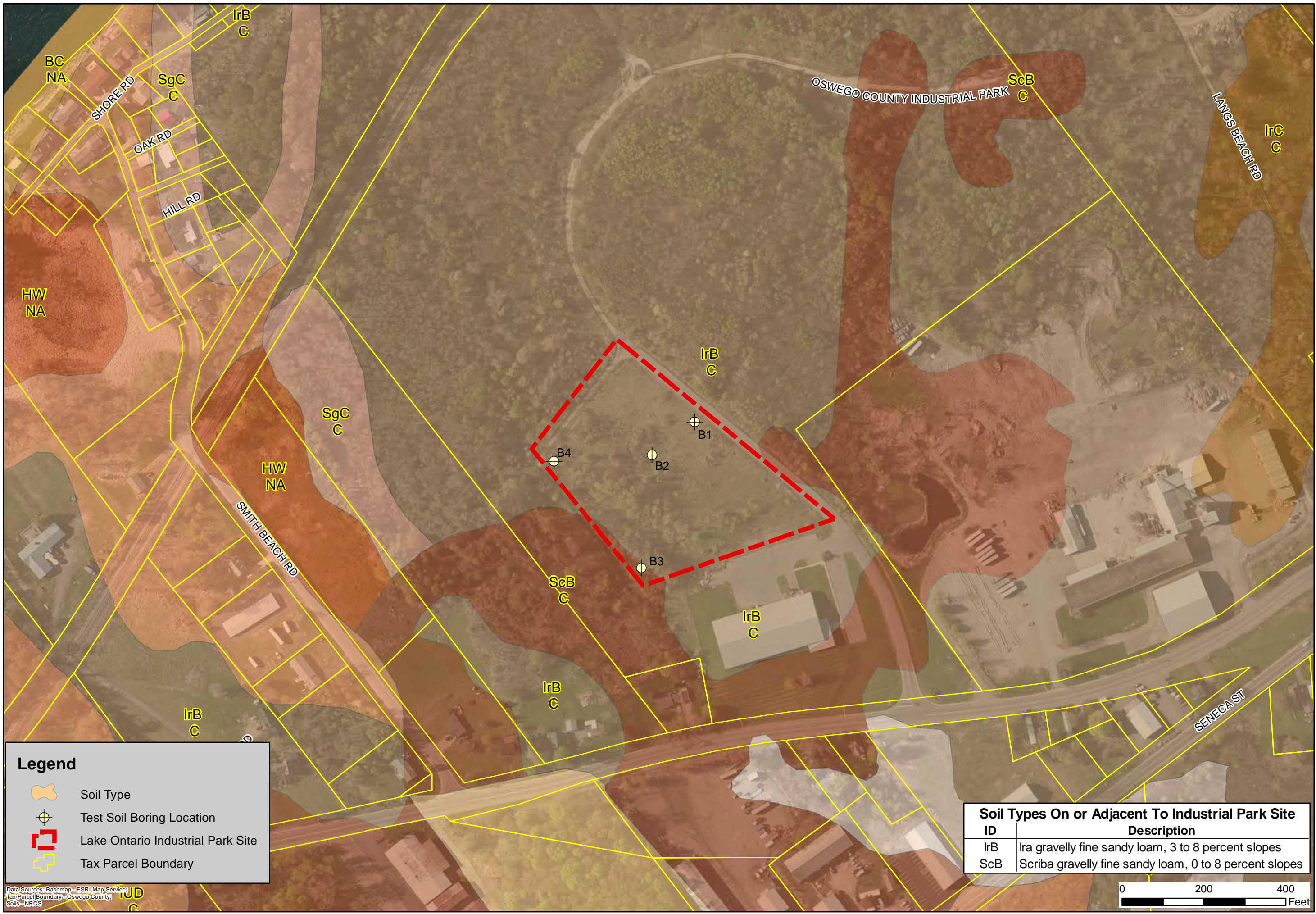
Environmental Features

Oswego County New York



Date	September 2012
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Figure Number	4
File Number	556.007

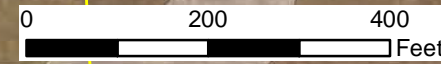
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Legend

- Soil Type
- Test Soil Boring Location
- Lake Ontario Industrial Park Site
- Tax Parcel Boundary

Soil Types On or Adjacent To Industrial Park Site	
ID	Description
IrB	Ira gravelly fine sandy loam, 3 to 8 percent slopes
ScB	Scriba gravelly fine sandy loam, 0 to 8 percent slopes

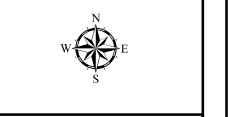


Data Sources: Basemap - ESRI Map Service
 Tax Parcel Boundary - Oswego County
 Soils - NRCS

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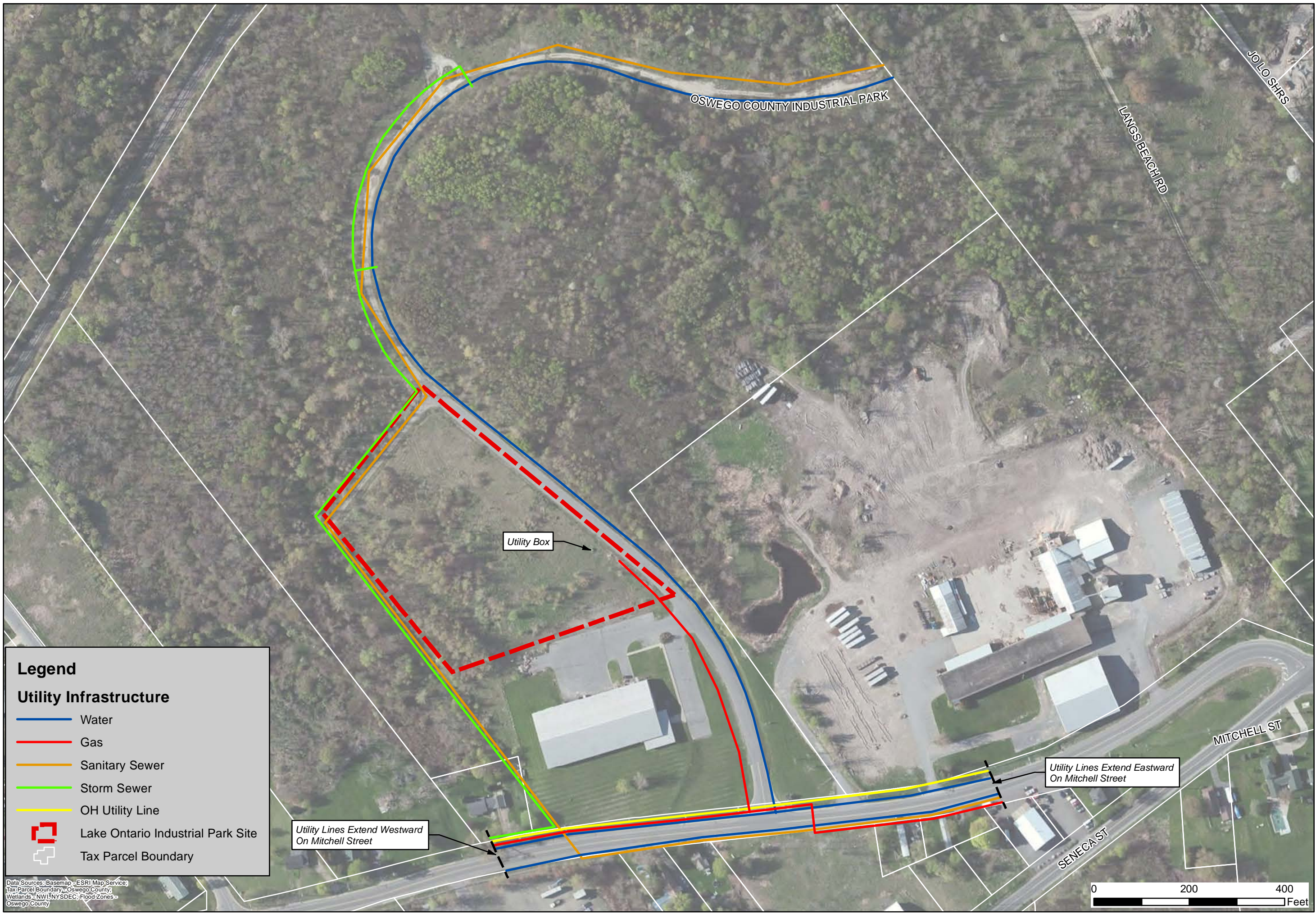
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Operation Oswego County, Inc.
 Lake Ontario Industrial Park Site
Soil Classifications
 Oswego County New York



Date	September 2012
Scale	As Shown
Figure Number	5
File Number	556.007

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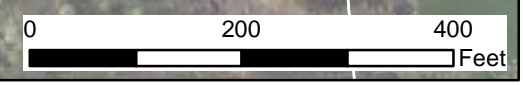


Legend

Utility Infrastructure

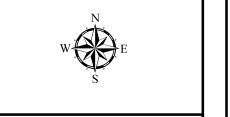
- Water
- Gas
- Sanitary Sewer
- Storm Sewer
- OH Utility Line
- - - Lake Ontario Industrial Park Site
- Tax Parcel Boundary

Data Sources: Basemap - ESRI Map Service;
 Tax Parcel Boundary - Oswego County;
 Wetlands - NW1, NYSDEC; Flood Zones - Oswego County



New York
 Oswego County

Operation Oswego County, Inc.
 Lake Ontario Industrial Park Site
Utility Infrastructure



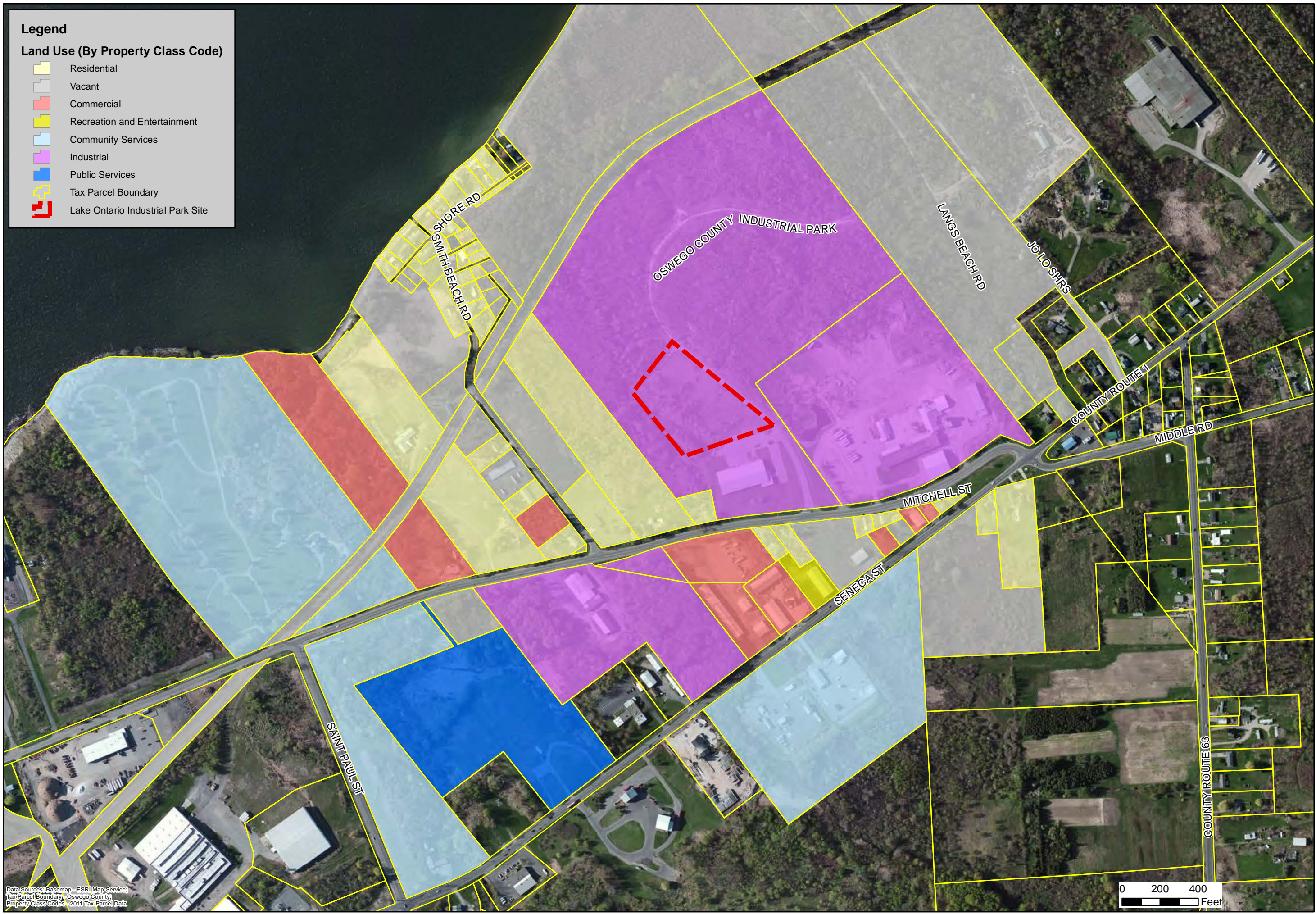
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Figure Number	6
File Number	556.007

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Legend

Land Use (By Property Class Code)

- Residential
- Vacant
- Commercial
- Recreation and Entertainment
- Community Services
- Industrial
- Public Services
- Tax Parcel Boundary
- Lake Ontario Industrial Park Site



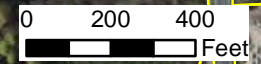
Operation Oswego County, Inc.
 Lake Ontario Industrial Park Site
Land Use
 Oswego County New York

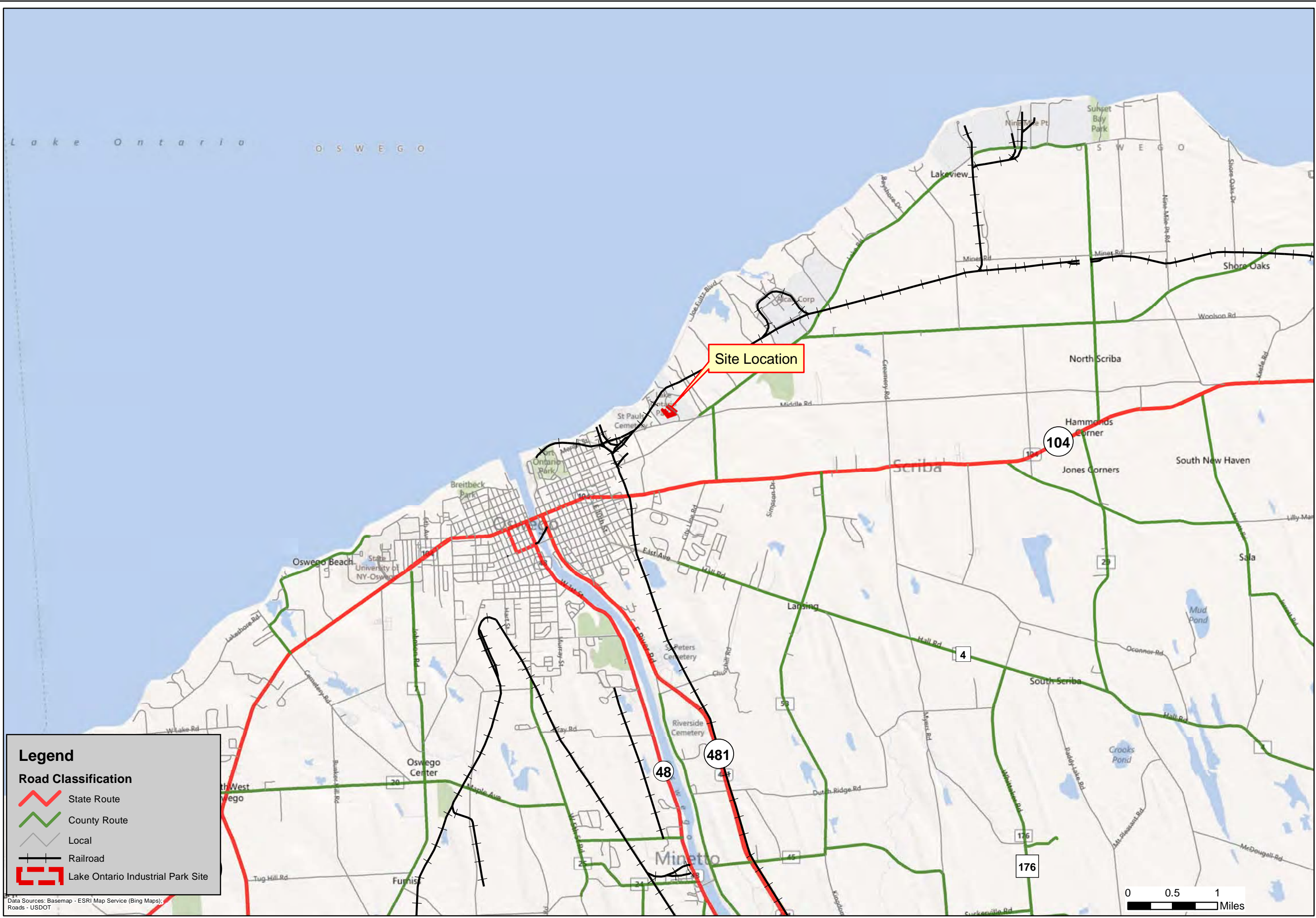


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This map is to be used for reference purposes only. Barton and Loguidice P.C. is not responsible or liable for any inaccuracies herein contained.

Data Sources: Basemap - ESRI Map Service,
 Tax Parcel Boundary - Oswego County,
 Property Class Codes - 2011 Tax Parcel Data





Legend

Road Classification

- State Route
- County Route
- Local
- Railroad
- Lake Ontario Industrial Park Site

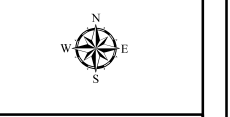
Data Sources: Basemap - ESRI Map Service (Bing Maps);
Roads - USDOT



New York
Oswego County

Transportation Infrastructure

Operation Oswego County, Inc.
Lake Ontario Industrial Park Site



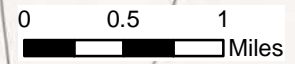
Date
September 2012

Scale
As Shown

Figure Number
8

File Number
556.007

This map is to be used for reference purposes only. Barton and Loguidice P.C. is not responsible or liable for any inaccuracies herein contained.



APPENDIX B

Concept Development Scenarios



DEVELOPMENT SCENARIO - A 50,000 SF LIGHT INDUSTRIAL BUILDING

LAKE ONTARIO INDUSTRIAL PARK
CITY OF OSWEGO, NEW YORK

SITE DATA

Lot Size: 5 +/- Acres
 Building Size: 50,000 sf
 Building Coverage: Approx. 23%
 Front Setbacks: 50'
 Side Yard Setbacks: 25'
 Rear Yard Setbacks: 25'

GRID NORTH





DEVELOPMENT SCENARIO - B 20,000 SF LIGHT INDUSTRIAL BUILDING

LAKE ONTARIO INDUSTRIAL PARK
CITY OF OSWEGO, NEW YORK

SITE DATA

Lot Size: 5+/- Acres
 Building Size: 20,000 sf
 Building Coverage: Approx. 10%
 Front Setbacks: 50'
 Side Yard Setbacks: 25'
 Rear Yard Setbacks: 25'

GRID NORTH



Engineers • Environmental Scientists • Planners • Landscape Architects



APPENDIX C

Boring Test Data

Client <u>BARTON AND LOGIUDICE</u>	 <p>LYON DRILLING CO. BORING LOG</p>	Boring No. <u>B1</u>
Project <u>ONTARIO INDUSTRIAL PARK</u>		Project No. _____
SITE ASSESMENT		Sheet <u>1</u> of <u>1</u>
Location <u>OSWEGO NY</u>		Date Started <u>09/05/12</u>
		Date Completed <u>09/05/12</u>
		Driller <u>HARRY</u>

Drill Rig <u>TRUCK MOUNTED CME 55</u>	Boring Location <u>AS STAKED, BY CLIENT</u>
Casing <u>3.25" ID HOLLOW STEM AUGERS</u>	Surface Elevation _____
Casing Hammer: Wt. _____ lb. Fall _____ in.	Ground Water Observations
Soil Sampler <u>2" SPLIT SPOON</u>	Date Time Casing at Hole at Water at
Sample Hammer: Wt. <u>140</u> lb. Fall <u>30</u> in.	<u>09/05/12</u> <u>2:00 PM</u> <u>23.5</u> <u>24.8</u> <u>DRY</u>
Rock Sampler: _____	<u>09/05/12</u> <u>2:18 PM</u> <u>OUT</u> <u>21.1</u> <u>DRY</u>
Other: _____	_____
Weather Conditions: _____	_____

Depth	Sample Number	Sample Depth		Sample Type	SOIL					Sample Recovery	MATERIAL DESCRIPTION	REMARKS
		Blows on Sampler					RQD					
		0/0.5'	0.5/1.0'		1.0/1.5'	1.5/2.0'		N				
		Rock Recovery										
From (Ft)	To (Ft)	Ft.	%				Depth of Change					
	1	0.0	2.0	S	4	6	9	12	13	1.3	TOPSOIL	5'
	2	2.0	4.0	S	7	12	20	35	32	1.1	MOIST BROWN COMPACT FINE SAND, LITTLE MEDIUM TO COURSE SAND, TRACE FINE GRAVEL WITH OCCASIONAL COBBLES	3.1'
5	3	4.0	4.9	S	26	50/4				0.5	MOIST BROWN LAMINATED FINE SAND, SOME MEDIUM SAND TO FINE GRAVEL WITH OCCASIONAL NR COBBLES	
	4	6.0	6.0	S	50/0					0.6		
10	5	8.0	8.9	S	46	50/4				0.7		
	6	10.0	10.8	S	36	50/3				0.4		11.4'
	7	12.0	12.9	S	30	50/4				0.5	MOIST GREY HIGHLY COMPACT LAMINATED FINE SAND, LITTLE EMBEDDED MEDIUM TO COURSE SA	
15	8	14.0	14.8	S	36	50/3				0.6	AND FINE GRAVEL WITH SUB ANGULAR SHALE FRAGMENTS (TILL LIKE MATERIAL)	
	9	16.0	16.9	S	38	50/4				0.8		
20	10	18.0	19.1	S	35	46	50/1			0.9		
	11	20.0	20.7	S	32	50/2				0.5		
	12	22.0	23.2	S	35	40	50/2			0.6		
25	13	24.0	24.8	S	43	50/3				0.4		AUGERS ADVANCED TO 25.0'
											BORING TERMINATED AT 25.0'	
30												
35												
40												
45												
50												

Client <u>BARTON AND LOGIUDICE</u>	 <p>LYON DRILLING CO. BORING LOG</p>	Boring No. <u>B2</u>
Project <u>ONTARIO INDUSTRIAL PARK</u>		Project No. _____
SITE ASSESMENT		Sheet <u>1</u> of <u>1</u>
Location <u>OSWEGO NY</u>		Date Started <u>09/05/12</u>
		Date Completed <u>09/05/12</u>
		Driller <u>HARRY</u>


Drill Rig <u>TRUCK MOUNTED CME 55</u> Casing <u>3.25" ID HOLLOW STEM AUGERS</u> Casing Hammer: Wt. _____ lb. Fall _____ in. Soil Sampler <u>2" SPLIT SPOON</u> Sample Hammer: Wt. <u>140</u> lb. Fall <u>30</u> in. Rock Sampler: _____ Other: _____ Weather Conditions: _____	Boring Location <u>AS STAKED, BY CLIENT</u> Surface Elevation _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5">Ground Water Observations</th> </tr> <tr> <th>Date</th> <th>Time</th> <th>Casing at</th> <th>Hole at</th> <th>Water at</th> </tr> </thead> <tbody> <tr> <td><u>09/05/12</u></td> <td><u>10:55 AM</u></td> <td><u>28.5</u></td> <td><u>25.4</u></td> <td><u>DRY</u></td> </tr> <tr> <td><u>09/05/12</u></td> <td><u>11:10 AM</u></td> <td><u>OUT</u></td> <td><u>18.6</u></td> <td><u>DRY</u></td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Ground Water Observations					Date	Time	Casing at	Hole at	Water at	<u>09/05/12</u>	<u>10:55 AM</u>	<u>28.5</u>	<u>25.4</u>	<u>DRY</u>	<u>09/05/12</u>	<u>11:10 AM</u>	<u>OUT</u>	<u>18.6</u>	<u>DRY</u>										
Ground Water Observations																															
Date	Time	Casing at	Hole at	Water at																											
<u>09/05/12</u>	<u>10:55 AM</u>	<u>28.5</u>	<u>25.4</u>	<u>DRY</u>																											
<u>09/05/12</u>	<u>11:10 AM</u>	<u>OUT</u>	<u>18.6</u>	<u>DRY</u>																											

Depth	Sample Number	Sample Depth		Sample Type	SOIL					Sample Recovery	MATERIAL DESCRIPTION	REMARKS
		Blows on Sampler					RQD					
		0/0.5'	0.5/1.0'		1.0/1.5'	1.5/2.0'		N				
		Rock Recovery										
From (Ft)	To (Ft)	Ft.	%				Depth of Change					
	1	0.0	2.0	S	2	5	7	12	12	1.3	TOPSOIL	5'
	2	2.0	4.0	S	11	14	14	18	28	1.2	MOIST BROWN FIRM FINE SAND, LITTLE MEDIUM TO COURSE SAND, TRACE FINE GRAVEL	1.5'
5	3	4.0	6.0	S	10	21	31	44	52	1.7	MOIST BROWN COMPACT LAMINATED FINE SAND, SOME MEDIUM TO COURSE SAND AND FINE GRAVEL	2.4'
	4	6.0	7.3	S	21	42	50/3			1.0	MOIST BROWN FINE SAND, LITTLE MEDIUM TO COURSE SAND, , TRACE FINE GRAVEL WITH OCCASIONAL COBBLES	4.6'
10	5	8.0	9.7	S	18	49	50/2			1.0	MOIST BROWN HIGHLY COMPACT FINE SAND, LITTLE EMBEDDED MEDIUM TO COURSE SAND AND FINE GRAVEL WITH OCCASIONAL COBBLES	10.2'
	6	10.0	10.8	S	37	50/3				0.5	MOIST GREY LAMINATED HIGHLY COMPACT FINE SAND, LITTLE EMBEDDED MEDIUM TO COURSE SAND AND FINE GRAVEL, TRACE EMBEDDED SUB ANGULAR SHALE FRAGMENTS (TILL LIKE MATERIAL)	
15	7	12.0	12.9	S	25	50/4				NR		
	8	14.0	14.9	S	31	50/4				NR		
	9	16.0	16.9	S	25	50/4				NR		
20	10	18.0	18.2	S	50/2					NR		
	11	20.0	21.3	S	28	33	50/3			.7'		
	12	22.0	22.4	S	50/4					.4'		
25	13	24.0	25.4	S	28	36	50/4			.2'	WET GREY FINE SAND	24.5'
30												
35												
40												
45												
50												

Client <u>BARTON AND LOGUIDICE</u>	 <p>LYON DRILLING CO. BORING LOG</p>	Boring No. <u>B3</u>
Project <u>ONTARIO INDUSTRIAL PARK</u>		Project No. _____
SITE ASSESSMENT		Sheet <u>1</u> of <u>1</u>
Location <u>OSWEGO NY</u>		Date Started <u>09/05/12</u>
		Date Completed <u>09/05/12</u>
		Driller <u>HARRY</u>

Drill Rig <u>CME 55</u>	Boring Location <u>AS STAKED, BY CLIENT</u>
Casing <u>3.25" ID HOLLOW STEM AUGERS</u>	Surface Elevation _____
Casing Hammer: Wt. _____ lb. Fall _____ in.	Ground Water Observations
Soil Sampler <u>2" SPLIT SPOON</u>	Date Time Casing at Hole at Water at
Sample Hammer: Wt. <u>140</u> lb. Fall <u>30</u> in.	<u>09/05/12</u> <u>4:15 PM</u> <u>11.5</u> <u>14.0</u> <u>11.5</u>
Rock Sampler: _____	<u>09/05/12</u> <u>5:45 PM</u> <u>OUT</u> <u>21.5</u> <u>11.0</u>
Other: _____	_____
Weather Conditions: _____	_____

Depth	Sample Number	Sample Depth		Sample Type	SOIL					Sample Recovery	MATERIAL DESCRIPTION	REMARKS	
		From (Ft)	To (Ft)		Blows on Sampler				RQD				
					0/0.5'	0.5/1.0'	1.0/1.5'	1.5/2.0'					N
					Rock Recovery								
		Ft.	%					Depth of Change					
	1	0.0	2.0	S	7	10	7	3	17	1.2	MOIST BROWN FINE TO COURSE SAND AND FINE GRAVEL	1.6'	
	2	2.0	4.0	S	4	5	5	7	10	1.1	MOIST BROWN FINE SAND, LITTLE SILT, TRACE MEDIUM TO COURSE SAND	2.7'	
5	3	4.0	6.0	S	1	3	13	16	16	1..3	WET BROWN SILT AND FINE SAND, LITTLE MEDIUM TO COURSE SAND AND FINE GRAVEL	5.0'	
	4	6.0	8.0	S	17	19	20	29	39	1.7	WET BROWN FINE SAND, LITTLE MEDIUM TO COURSE SAND, TRACE FINE GRAVEL	8.2'	
10	5	8.0	10.0	S	18	25	22	20	47	1.7	MOIST GREY LAMINATED FINE SAND, LITTLE MEDIUM TO FINE GRAVEL	9.0'	
	6	10.0	12.0	S	14	16	16	29	32	1.4	WET BROWN COMPACT FINE SAND, LITTLE MEDIUM TO COURSE SAND AND FINE GRAVEL	10.4'	
	7	12.0	14.0	S	10	21	25	26	46	1.5	SATURATED BROWN FINE TO COURSE SAND, SOME FINE GRAVEL	14.0'	
15	8	14.0	14.8	S	36	50/3				0.5	MOIST BROWN LAMINATED HIGHLY COMPACT FINE SAND, LITTLE MEDIUM TO COURSE SAND, TRACE FINE GRAVEL	15.2'	
	9	16.0	16.3	S	50/3					0.3	GRADES TO MOIST GREY HIGHLY COMPACT FINE SAND, LITTLE EMBEDDED MEDIUM TO COURSE SAND, LITTLE EMBEDDED MEDIUM TO COURSE SAND, TRACE FINE GRAVEL AND SUB ANGULAR SHALE FRAGMENTS		
20	10	18.0	18.7	S	40	50/2				0.2	TRACE FINE GRAVEL AND SUB ANGULAR SHALE FRAGMENTS		
	11	20.0	20.2	S	50/2					0.3			
	12	22.0	22.3	S	50/3								
25													
30													
35													
40													
45													
50													

Client <u>BARTON AND LOGIUDICE</u>	 <p>LYON DRILLING CO. BORING LOG</p>	Boring No. <u>B4</u>
Project <u>ONTARIO INDUSTRIAL PARK</u>		Project No. _____
SITE ASSESMENT		Sheet <u>1</u> of <u>1</u>
Location <u>OSWEGO NY</u>		Date Started <u>09/05/12</u>
		Date Completed <u>09/05/12</u>
		Driller <u>HARRY</u>

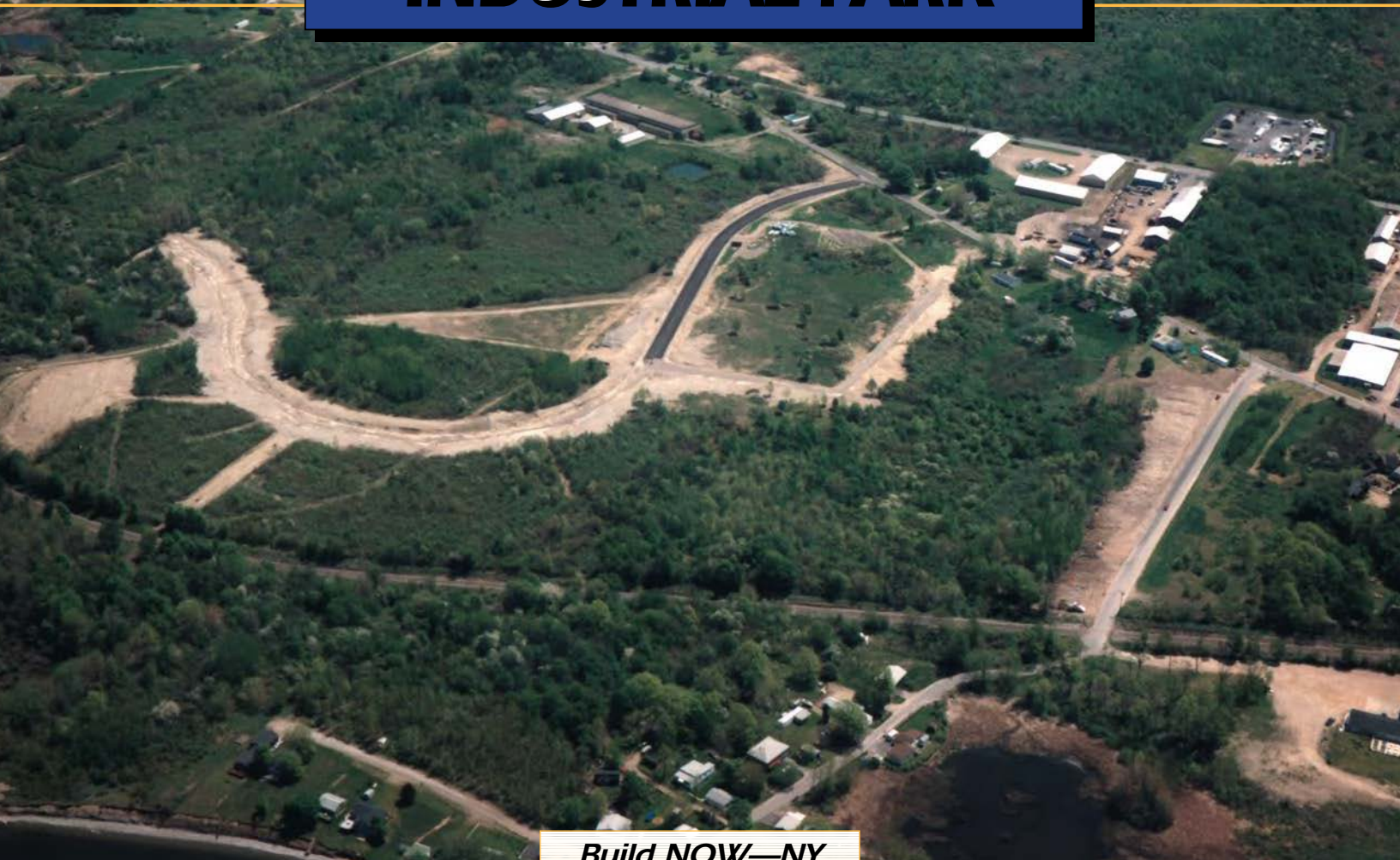
Drill Rig <u>CME 55</u>	Boring Location <u>AS STAKED, BY CLIENT</u>
Casing <u>3.25" ID HOLLOW STEM AUGERS</u>	Surface Elevation _____
Casing Hammer: Wt. _____ lb. Fall _____ in.	Ground Water Observations
Soil Sampler <u>2" SPLIT SPOON</u>	Date Time Casing at Hole at Water at
Sample Hammer: Wt. <u>140</u> lb. Fall <u>30</u> in.	<u>09/05/12</u> <u>8:50 PM</u> <u>22.5</u> <u>24.7</u> <u>12.8</u>
Rock Sampler: _____	<u>09/05/12</u> <u>9:20 PM</u> <u>OUT</u> <u>20.5</u> <u>13.3</u>
Other: _____	_____
Weather Conditions: _____	_____

Depth	Sample Number	Sample Depth		Sample Type	SOIL					Sample Recovery	MATERIAL DESCRIPTION	REMARKS
		Blows on Sampler					RQD					
		0/0.5'	0.5/1.0'		1.0/1.5'	1.5/2.0'		N				
		Rock Recovery										
From (Ft)	To (Ft)	Ft.	%				Depth of Change					
	1	0.0	2.0	S	7	16	9	9	25	0.4	MOIST BROWN FINE TO COURSE SAND AND FINE GRAVEL WITH COBBLES, TRACE HAIRLIKE ROOT FIBERS	1ST ATTEMPT AUGER REFUSAL AT 7.9', RELOCATED 5' SOUTH
	2	2.0	4.0	S	3	5	3	4	8	1.5	MOIST BROWN FINE SAND, TRACE MEDIUM SAND WITH COBBLES	
5	3	4.0	6.0	S	9	15	22	25	37	1.6	MOIST BROWN FINE SAND, LITTLE MEDIUM TO COURSE SAND, TRACE FINE GRAVEL WITH COBBLES	
	4	6.0	8.0	S	20	23	33	35	56	0.9	MOIST BROWN FINE SAND, LITTLE MEDIUM TO COURSE SAND, TRACE FINE GRAVEL WITH COBBLES	2ND ATTEMPT: AUGER REFUSAL AT 7.2' RELOCATED 10' NORTH
	5	8.0	9.2	S	18	27	50/2			0.7		
10	6	10.0	10.7	S	47	50/2				0.5	SATURATED BROWN FINE TO COURSE SAND, SOM	
	7	12.0	12.8	S	35	50/3				0.4	FINE GRAVEL	11.6'
15	8	14.0	14.4	S	50/4					0.2	GRADES TO MOIST BROWN LAMINATED HIGHLY COMPACT FINE SAND, LITTLE EMBEDDED MEDIUM TO COURSE SAND, TRACE FINE GRAVEL	13.0'
	9	16.0	16.8	S	42	50/3				0.5	GRADES TO MOIST GREY LAMINATED HIGHLY COMPACT FINE FINE SAND, LITTLE EMBEDDED	16.0'
	10	18.0	18.7	S	48	50/2				0.4	MEDIUM TO COURSE SAND TRACE FINE GRAVEL AND SUB ANGULAR SHALE FRAGMENTS	
20	11	20.0	20.7	S	37	50/2				0.5		
	12	22.0	22.4	S	50/4					0.3		
25	13	24.0	24.7	S	38	50/2				0.5	WET GREY HIGHLY COMPACT FINE SAND, LITTLE MEDIUM TO COURSE SAND, TRACE FINE GRAVEL	24.4'
												24.4'
30												
35												
40												
45												
50												

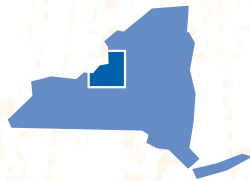
APPENDIX D

Supporting Documentation

LAKE ONTARIO INDUSTRIAL PARK



***Build NOW—NY
& Empire Zone Sites***
Oswego, New York



Operation Oswego County

*An Economic and Job Development Corporation
Serving Oswego County, NY*

Site Specifications

This is Oswego County's newest full service industrial park. It is located within the City of Oswego, has 2,500 feet of park road and is fully-equipped with municipal water, sewer and storm sewer. Lots are available from 1.5 acres up. This park is located near Lake Ontario in the Oswego Empire Zone.

A Wetland Preserve separates the Industrial Park from the shoreline.

Lot prices between \$15,000 & \$25,000/acre

Location

- Northeast corner of the City of Oswego
- Located on Mitchell Street at intersection with County Route 1

Land

- 57 acres gently sloping toward Lake Ontario; gravelly, fine sandy loam soil

Zoning

- Industrial

Highways

- NYS 104 - 1 mile
- I-81 - 19 miles
- NYS 481 - 2 miles
- I-90 - 38 miles

Airport

- 12 miles to Oswego County Airport
- 35 miles to Syracuse International Airport

Port

- 1 mile to Port of Oswego

Rail

- CSX
- 1200 feet through the site

Water

- 8" main (City of Oswego)
- Over 20 million gallons/day capacity

Fiber Optics

- Available

Sewer

- 12" main
- Over 2 million gallons/day of excess sewage treatment capacity (City of Oswego)

Gas

- 8" main (Niagara Mohawk Power Corporation)

Electricity

- 13.2 KV (Niagara Mohawk Power Corp.)

Corporate Neighbors

Alcan Aluminum Corp.
Eagle Beverage Co.
Great Lakes Veneer
Indeck Energy
Industrial Precision
International Paper
Lagoie Oswego Corporation
Lakeshore Transportation
Entergy Nuclear Northeast
Metal Transportation Systems, Inc.
NRG Oswego Generating Station
Niagara Mohawk Power Corporation
Oswego State University
Oswego Warehousing Inc.
Oswego Wire
Sithe Energies
Wiltsie Construction

EZ Benefits

Empire Zone Benefits

Once your business is certified and located in the *Oswego Empire Zone*, you'll be eligible for a host of benefits designed to create the best climate possible for your company's profitability and growth.

Low-Cost Water

- Free City Water for Three Years
- Very low water rates for business

Electrical Discounts

New and expanding customers in an EZ can receive up to 10 years of significant electrical discounts from Niagara Mohawk.

Gas Discounts

Available from Niagara Mohawk, gas discounts for new and existing customers who increase their usage by a specific amount depending on their Service Classification.

Investment Tax Credits (ITC)

Available to manufacturers investing in production property, industrial waste treatment facilities, air pollution control facilities, or research and development property.

10% ITC for corporations
8% ITC for individuals

Employment Incentive Credit (EIC)

Available to businesses who have received the EZ ITC and have increased employment (must be 101% of the average number of employees in the year before the ITC was claimed).

30% of the EZ ITC for up to 3 consecutive years

Wage Tax Credit (WTC)

Available to businesses which hire new employees. Credit is for a five-year term, beginning with the first tax year in which EZ wages are paid.

\$3,000 for targeted employees
\$1,500 for all other employees

WTC and ITC Refunds

Available to new businesses in New York State and eligible for WTC and/or ITC.

50% Cash Refund of Eligible WTC and/or ITC

Expanded Empire Zone Benefits

Effective January 1, 2001, New York State placed into effect three new incentives available to EZ businesses. In order to be eligible for these additional benefits, a company must satisfy, on an annual basis, an "Employment Test" demonstrating that the company has maintained or gained employment. The "Employment Test" must be met for all the company's locations within New York State designated EZs as well as at all the company's locations in the State located outside EZs.

Tax Reduction Tax Credit

This credit is applied against New York State business corporate taxes, personal income taxes, banking corporation taxes or insurance corporation taxes. The credit is computed by a formula based on the number of jobs created, the company's assets and wages and compensation in the EZ and in the state, and the income taxes owed. This credit is available for a 14-year period on a sliding scale formula.

The Tax Reduction Tax Credit may reduce the company's tax liability to zero.

Real Property Tax Credit

The credit is applied against New York State business corporate taxes, personal income taxes, banking corporation taxes or insurance corporation taxes. The credit is computed by a formula based on the number of jobs created and the real property taxes paid on business property in the EZ. This credit is available for a 14-year period on a sliding scale formula. Unused credits may be obtained as a cash refund for the year in which they were earned.

Sales Tax Exemption

An eligible business can receive an exemption from the 4% New York State sales and use taxes for tangible personal property and services sold to a qualified business. The exemption is available for a 10-year period as long as the business meets or exceeds its "Employment Test."

EZ Benefits

Local Financing Benefits

Includes assistance in accessing attractive, competitive-cost financing from:

- **County of Oswego Industrial Development Agency (IDA)**
Tax Exempt and Taxable Bond Financing, Incentive Packages, and Direct Revolving Loan Financing
- **City of Oswego Community Development Office Financing Programs**
- **SBA 504 Fixed-Asset Financing Available through Operation Oswego County, Inc.**
- **Conventional Bank Financing from Business-Friendly Area Banks**
- **Empire State Development Financing Programs**
- **COMCO/Central New York Enterprise Development Corp. Loans**
- **Federal (HUD) and Other Governmental Assistance Programs**

Other EZ Benefits

Preferential treatment for NYS-sponsored programs

Preferential treatment for local lending programs

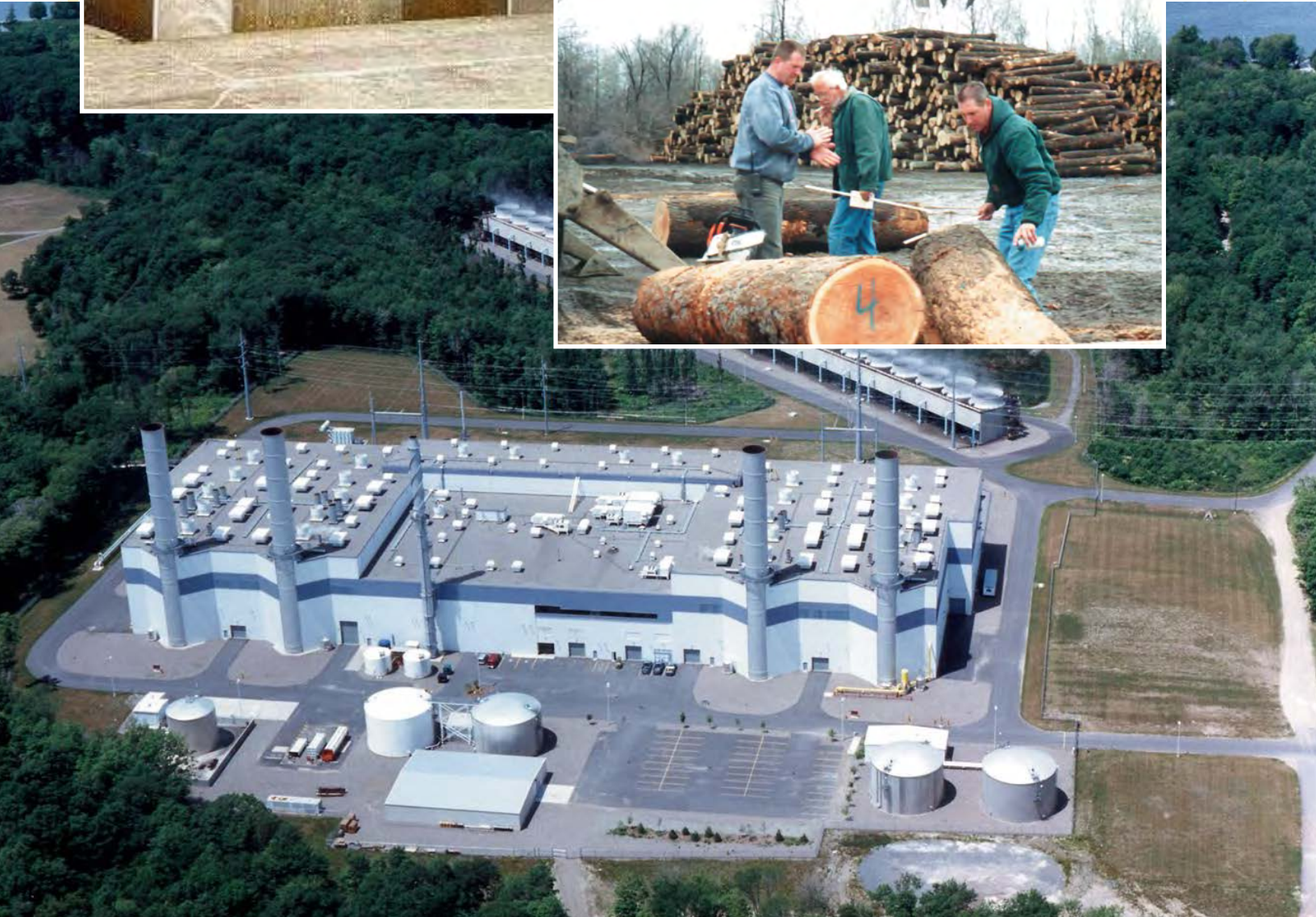
Priority status for both licensing and coordinating with all NYS regulatory agencies

Special employee training assistance programs

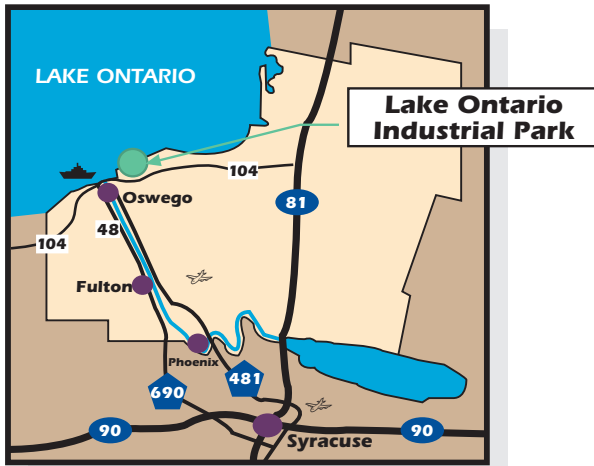
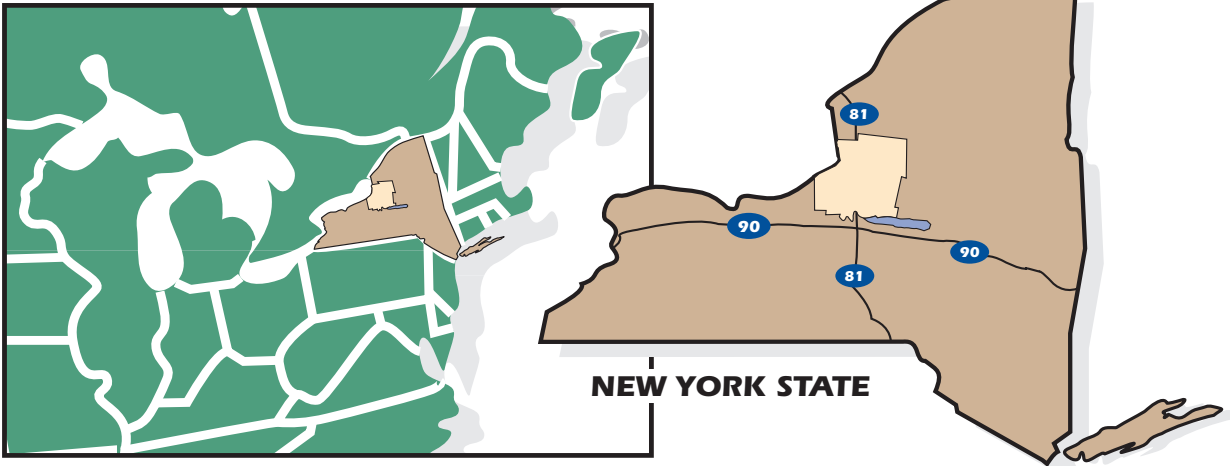
Build Now—NY “Shovel-Ready” Sites

Lots from 1.5 acres in the Lake Ontario Industrial Park have been designated by the State of New York as **Build Now—NY** development sites. This new program by the state, developed locally in the Oswego Empire Zone with the cooperation of the County and City of Oswego, is part of the inventory of high-potential locations within New York. These sites in the Lake Ontario Industrial Park have been cleared and developed for fast-track company projects. These “shovel-ready” sites are prepermitted for building and expansion. Operation Oswego County, the City of Oswego Community Development Office and Empire State Development experts work as a team ready to assist you in exploring the many options available at these new shovel-ready sites, saving you valuable time and money.





NORTHEAST U.S.



OSWEGO COUNTY



Lake Ontario Industrial Park



Operation Oswego County

*An Economic and Job Development Corporation
Serving Oswego County, NY*

L. Michael Treadwell, CEcD
Executive Director

OPERATION OSWEGO COUNTY, INC.

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**ARTICLE XI
IN Industrial District**

§ 280-38. Permitted uses.

The following uses are permitted in the IN Industrial District:

- A. Enclosed manufacturing industries.
- B. Enclosed warehouse or wholesale use.
- C. Public utility facilities.
- D. Enclosed service and repair.
- E. Enclosed industrial processes and services.
- F. Machinery and transportation equipment; sales, service and repair.
- G. Freight or trucking terminals.
- H. Gasoline stations and car washes.
- I. Animal hospitals.
- J. Garages.
- K. Parking.
- L. Accessory uses.
- M. Certain nonconforming residential uses pursuant to § 280-31. [Amended 7-10-1995]
- N. Permitted adult businesses as set forth in §280-80.3D and fully in compliance with §280-80.3D and §280-40 (Bulk requirements; supplementary regulations, for IN Industrial District) shall be allowed only in the AO-IN Adult Overlay of the Industrial District. [Added 10-22-2001]

§ 280-39. Special permit uses.

The following uses are permitted in the IN Industrial District after issuance of a special permit:

- A. Open storage yards.
- B. Outdoor drive-in theaters.
- C. Retail stores.
- D. Quarries, excavation and earthmoving.
- E. Other industrial and commercial uses upon the finding that such use is compatible with those permitted and which will not be detrimental to other uses within the district or to adjoining land uses.

F. Commercial marinas, mooring slips and private marina yacht clubs. [Added 4-14-1986]

§ 280-40. Bulk requirements; supplementary regulations.

A. Area, yard, coverage and height. In any IN Industrial District, area, yard, coverage and height requirements shall be as follows: [Amended 9-8-1980]

Minimum district area	25 acres
Minimum lot area	10,000 square feet
Minimum lot width	100 feet
Minimum yards:	
Front	25 feet
Rear	12 feet; 50 feet when abutting residential districts
Side	12 feet, 50 feet when abutting residential districts
Maximum coverage	35%

B. Supplementary regulations shall be as set forth in Article XVII hereof.

C. Site plan approval shall be required.

**ARTICLE XIA
AO-IN Adult Overlay of the Industrial District
[Added 10-22-2001]**

§ 280-40.1. Purpose.

A. The AO-IN Adult Overlay of the Industrial District is intended to address the purpose and findings set forth in § 280-80.3 of this chapter.

B. The AO-IN Adult Overlay of the Industrial District may be overlaid upon any part or all of any Industrial District established pursuant to this chapter which is found to be appropriate for such treatment, pursuant to the procedure for amendment of the Zoning Map in accordance with Article XXI, Amendments, of this chapter.

§ 280-40.2. Overlay district.

The AO-IN Adult Overlay of the Industrial District shall be mapped upon the Zoning Map only in conjunction with the underlying IN Industrial District. Any lot in the AO-IN Adult Overlay of the Industrial District may continue to be used in accordance with the regulations applicable in the underlying district in the same manner as though the AO-IN Adult Overlay of the Industrial District did not exist.

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COVENANTS AND RESTRICTIONS

FOR THE

OSWEGO COUNTY LAKE ONTARIO INDUSTRIAL PARK

Located in the City of Oswego,

County of Oswego, State of New York.

This declaration, made this 16th day of January, 1990, by the County of Oswego Industrial Development Agency, hereinafter called "The Owner",

WITNESSETH:

WHEREAS, the owner is the owner of real property described in Clause I of this declaration; and

WHEREAS, the owner is desirous of subjecting the real property described in Clause I to the conditions, covenants, easements, restrictions and reservations hereinafter set forth, each and all of which is and are for the benefit of said property, and for each owner thereof, for the benefit of all other properties which may be included in the Oswego County Lake Ontario Industrial Park as hereinafter described, and for each owner thereof, as is more particularly set forth in Clause II;

NOW, THEREFORE, the owner hereby declares that the real property described and referred to in Clause I hereof is and shall be held, transferred, sold, conveyed, leased, subleased and occupied subject to the conditions, covenants, easements, restrictions and reservations hereinafter set forth, which shall be binding upon the purchaser or purchasers of any of said lots,

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blocks, parcels or lands, and his or their heirs, assigns, successors, devisees, executors and administrators.

CLAUSE I

PROPERTY SUBJECT TO THIS DECLARATION

The real property being developed and known as The Oswego County Lake Ontario Industrial Park, which is now and shall be held, transferred, leased, subleased and occupied subject to the conditions, covenants, easements, restrictions and reservations set forth herein is wholly located in the City of Oswego, County of Oswego, State of New York, and is more particularly described as follows, to wit:

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE second Ward of the City of Oswego, County of Oswego, State of New York, beginning at an iron pin in the North street line of Mitchell Street at the Southeast corner of David and Judy Longley as recorded in the Oswego County Clerk's Office in Book 712 of Deeds at Page 294; which point is N. 37 degrees 35' West 28.79 feet from a point in the centerline of Mitchell Street; which point in turn is Westerly 1478.76 feet along the centerline of Mitchell Street from the intersection of the centerline of East Seneca Street and running thence North 37 degrees 35' West 171.21 feet along the East line of said Longley to a point being Longley's Northeast corner; thence South 78 degrees 56' 54" West 100.0 feet along the North line of said Longley to a point in the East line of Maxwell B. and Mildred Hull as recorded in Book 505 of Deeds at Page 269; thence North 37 degrees 35' West 1,240.82 feet to a point on the South line of the Penn Central Railroad; thence North 31 degrees 22' 6" East along the South line of the Penn Central Railroad, a distance of 554.35 feet to a point; thence continuing along the Southerly line of the Penn Central Railroad Company as it curves to the right, said curvature having a radius of 1,392.69 feet a distance of 789.98 feet to a point; thence North 63 degrees 52' 06" East along the Southerly line of the Penn Central Railroad right-of-way 380.44 feet to a point marked by an iron pipe; thence South 37 degrees 42' 38" East along the East line of Lot 35, a distance of 1,240.85 feet to a point marked by an iron pipe; thence South 52

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CLAUSE III
LAND TO BUILDING RATIOS, MINIMUM LOT SIZE, FRONTAGE, BUILDING
SETBACKS, HEIGHT LIMITATIONS, AND MINIMUM YARD DIMENSIONS

To provide adequate land area for offstreet parking, loading, other service areas, outside storage and potential expansion facilities, the following standards shall apply to all lots and parcels in the Industrial Park:

- (1) Minimum lot size - 65,340 square feet, 1.5 acres.
- (2) Minimum land to building ratio - 2 to 1.* (33% coverage)
- (3) Maximum land to building ratio - 9 to 1.* (10% coverage)
- (4) Maximum height of building - 40 feet
- (5) Minimum frontage - 100 feet
- (6) Minimum front setback - 50 feet**
- (7) Minimum side setback - 25 feet**
- (8) Minimum rear setback - 25 feet**

*The area for the ration of lot coverage will be computed from the out-to-out dimensions of the foundations. Porches, platforms, balconies, etc., would be excluded. Enclosed areas and accessory buildings such as pump houses, sheds and garages would be included. These enclosed areas will be computed from the out-to-out dimensions of the walls or fences or the center line of screen planting.

**The minimum setback dimensions are from property lines to building lines. The building line is defined as the outer face of wall enclosing the building or supporting the roof. Gutters, cornices, roof overhangs, steps, platforms, open porches and balconies projecting not more than 16 feet are permissible.

CLAUSE IV
LANDSCAPING AND OUTSIDE STORAGE

All ground within the setback areas, with the exception of walks and driveways, shall be appropriately landscaped and scrubbed.

All storage of bulk materials such as coal, wood, pulp, etc., shall be completely within a building or other space completely enclosed with a solid wall at least 12 feet in height. Other outside storage of materials (either raw or manufactured), equipment, drums, transformers, etc., shall be adequately screened from public view.

Any fences, walls or plantings used for screening purposes shall be located not less than 50 feet from any property line

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degrees 17' 22" West a distance of 1,000 feet to an iron pipe; thence South 37 degrees 42' 38" East, a distance of 777 feet to the centerline of Mitchell Street; thence South 83 degrees 08' 13" West along the centerline of Mitchell Street, a distance of 676.94 feet to a point; thence North 37 degrees 35' West a distance of 28.79 feet to the point of beginning on the North street line of Mitchell Street.

INTENDING TO DESCRIBE AND CONVEY, the same properties as shown on a survey by Russell L. Getman, Licensed Land Surveyor No. LS49298, survey completed the 27th day of February, 1989 and signed by Russell L. Getman the 28th day of February, 1989, said survey to be recorded in the Oswego County Clerk's Office of even date herewith and attached hereto as Schedule "A".

CLAUSE II

GENERAL PURPOSES OF CONDITIONS

The real property described in Clause I hereof is subject to the conditions, covenants, easements, restrictions and reservations hereby declared to insure proper use and appropriate development and improvement of the said premises; to encourage the erection of attractive improvements thereon with appropriate locations thereof on building sites; to secure and maintain off-street vehicle storage and circulation such as the building site and use thereon shall generate; to secure and maintain proper setbacks from rights-of-way and contiguous property, and in general, to provide adequately for a high-type and quality of industrial and commercial improvement and use of said property. Provided, however, that no portion of the said real property shall be used for retail sales unless such sales are purely incidental to an industrial or commercial development of the property.

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facing any street and not less than five feet from abutting property.

CLAUSE V

PARKING, LOADING AND OTHER SERVICE AREAS

All roads, drives, parking areas and outdoor storage areas shall be paved with asphalt or concrete.

Where only the minimum setback has been used between the road and the building, all parking shall be located at the sides or rear of the building. Where more than 50 feet has been allowed, neat development of executive-visitor parking is permissible.

Parking areas shall be adequately screened by appropriate planting, landscaping, solid wall or appropriate fence.

CLAUSE VI

BUILDING MATERIALS

Building design, materials and workmanship shall be appropriate to the building function. Buildings shall be as simple and restrained as feasible and shall have a pleasing visual contribution to the surrounding environment.

(a) INTERIORS. Building interiors shall be constructed of metal framing used in combination with either masonry, stone, cement and other non-combustible materials. If wood is used for non-framing components, it should meet the most recently issued codes, rules and regulations of the State of New York, using fire proof/retardant wood where necessary. Non-required sprinklers should be looked upon as desirable, especially if the manufacturing process used presents a medium to high hazard of fire.

(b) EXTERIORS. Exterior materials shall be of permanent type and good quality. The following wall materials are acceptable:

- (1) Finished concrete
- (2) Finished masonry or masonry units such as stone veneer, face brick, structural facing tile and ceramic tile.
- (3) Factory assembled metal panel units with painted surfaces
- (4) Suitable glass or plastic materials

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- (5) Factory painted, preformed metal siding and panel systems
- (6) Wood, when used for trim.

CLAUSE VII
SIGN STANDARDS

To minimize detractive effects on building appearance and landscaping resulting from erection of signs, the following standards have been established:

- (1) Signs and lettering shall be simple and dignified in appearance, of size and number appropriate to size and layout of building, and of neat, durable materials and construction.
- (2) Signs may be attached to the face of the building or other freestanding wall or supports, or mounted on porch roof, but shall not project above adjacent cornice of main roof.
- (3) Signs may contain identifying name, business and products of building tenant. No further advertising is permitted.
- (4) No moving parts are permissible
- (5) Illumination, if any, may be internal or external and shall be non-intermittent and of single color.
- (6) Miscellaneous directional and information signs of uniform style not exceeding three (3) square feet will be permitted. Such signs may be mounted on supports of suitable height.

CLAUSE VIII
OBJECTIONABLE USES OF PROPERTY

Any uses or operations which are considered objectionable by the administering agency hereinafter referred to by reason of fire, explosion, radioactivity, electric disturbance, glare, noise, odor, vibration, smoke, liquid or solid wastes or other hazardous nature or cause are prohibited.

CLAUSE IX
MINING, ETC. OPERATIONS

No mining operations of any kind, quarrying or extraction processes shall be permitted upon, or in, any of the building sites

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subject to these covenants.

CLAUSE X
EASEMENTS

Easements for installation and maintenance of utilities, sewerage and drainage facilities may be reserved on any plot plan subdividing the above described premises. Within such easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or sewer lines, or which may change the direction or flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easement. The easement area of each lot shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

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CLAUSE XI
PLAN APPROVAL

In order to achieve an overall compatibility and conformity with all of the provisions of these covenants, all plans pertaining to interior and exterior building design, construction, lot layout, landscaping, signs and the projected use of the premises are to be submitted to the administering agency within a reasonable time prior to implementation. No such implementation shall commence without the prior approval of the administering agency. Plans for any subsequent additions or changes to any of the above shall also be so submitted to the administering agency for its approval which shall be required for implementation of such subsequent additions and alterations.

CLAUSE XII
VARIANCES

Future adjustments and variances may be permitted on

application to the administering agency if in the judgment of the administering agency such changes are not detrimental to the Industrial Park. Minor adjustments and variances may be initiated by the administering agency if they are deemed beneficial to the park development and are not detrimental to occupants of the park.

CLAUSE XIII

ADMINISTERING AGENCY AND ENFORCEMENT OF COVENANTS

(1) County of Oswego Industrial Development Agency shall be the administering agency provided for in these covenants, and shall have all of the powers and authority granted to such agency.

(2) These conditions, covenants, easements, restrictions and reservations shall become effective on the date when this Instrument is recorded in the Oswego County Clerk's Office.

(3) These conditions, covenants, easements, restrictions and reservations are to run with the land, and shall be binding upon all parties and all persons claiming under them until January 1, 2010, at which time such conditions, covenants, easements, restrictions and reservations shall be automatically extended for successive periods of ten years each unless a majority of the persons and corporations owning property in the Oswego County Lake Ontario Industrial Park shall have agreed to change the conditions, covenants, easements, restrictions and reservations in whole or in part. For the purpose of voting on the questions of such changes, each owner shall have one vote for each acre owned by him.

If any person or persons, (including corporations or other legal entities) shall violate or attempt to violate any of the conditions, covenants, easements, restrictions or reservations herein, it shall be lawful for any other person or persons (including corporations or other legal entities) owning any real property situated in the Oswego County Lake Ontario Industrial Park and/or County of Oswego Industrial Development Agency to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such restriction herein, and either to prevent him or them from so doing or to recover damages

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or other dues for such violation.

The invalidation of any one of these conditions, covenants, easements, restrictions or reservations or any part thereof by judgments or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the owner has hereunto set its hand and seal the day and year first above written.

COUNTY OF OSWEGO INDUSTRIAL DEVELOPMENT AGENCY

Hollis J. Iselin
BY: HOLLIS J. ISELIN, CHAIRMAN

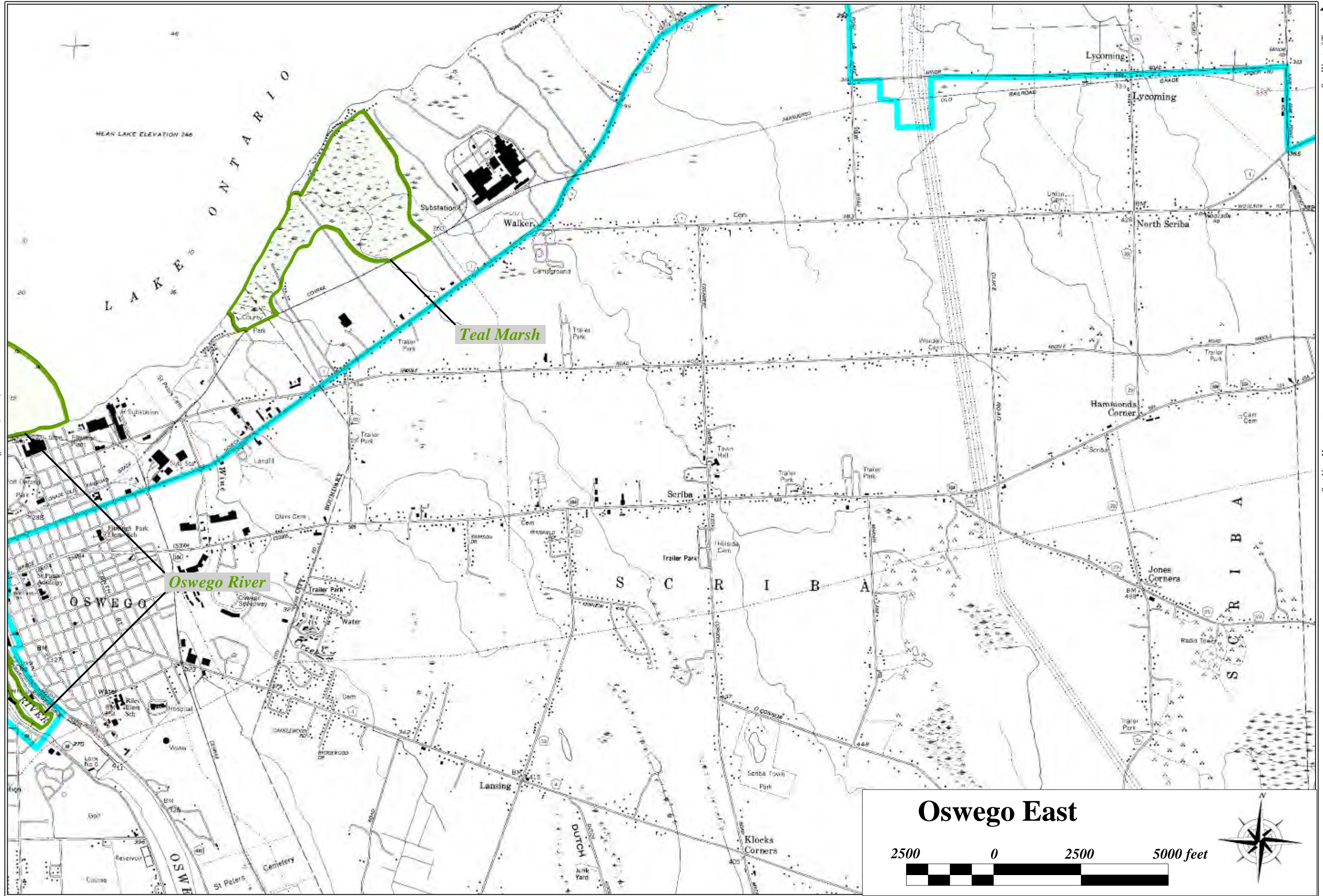
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STATE OF NEW YORK)
COUNTY OF OSWEGO) ss.:

On this 16 day of January, 1989⁹⁰, before me personally came Hollis J. Iselin, to me personally known, who, being by me duly sworn did depose and say that he resides in the Town of Phoenix, County of Oswego, New York; that he is the Chairman and which executed the above Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

Norman W. Seifer, Jr.
NOTARY PUBLIC
NORMAN W. SEIFER, JR.
Notary Public, State of New York
Qualified in Oswego Co., No. 4512006
Commission Expires April 30, 1992

Oswego Co. Clerks Office
Received
Deed Bk 1110 pg 148
Feb 7 11 59 AM 1990
George J. Williams
Clerk



MEAN LAKE ELEVATION 246

ONTARIO

LAKES

Teal Marsh

Oswego River

OSWEGO

Walker

Lycoming

Lycoming

North Scriba

Hammonds Corner

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Jones Corners

Lansing

Klocks Corners

Oswego East



See Oswego West (North)

See New Haven

See West of Texas

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